



**BOARD OF SELECTMEN
TOWN OF TEWKSBURY
TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876**

**TODD R. JOHNSON, CHAIRMAN
SCOTT WILSON, VICE CHAIRMAN
BRUCE PANILAITIS, Ph.D., CLERK
DAVID H. GAY
JAMES D. WENTWORTH**

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**MEETING MINUTES
FEBRUARY 10, 2015**

Chairperson Todd Johnson called the meeting to order at 6:00 p.m. Present for the Board of Selectmen meeting were Scott Wilson, Vice Chair; Bruce Panilaitis, Clerk and Board Members, David Gay and James Wentworth. Richard Montuori, Town Manager was also present. Attorney Charles Zaroulis was not present

Scheduled Items

Interviews

The Chair opened the meeting at 6:00 p.m. to conduct three interviews of Patricia Stratis, Kwame Nti-Addae, and Mary Jo Melloni for various board positions. At 6:30 p.m., the Board took actions on various committee appointments as follows:

Scott Wilson made a motion to appoint Francesca Frazier to a term commencing immediately and ending on June 30, 2015 on the Beautification Committee, seconded by David Gay, and approved unanimously by voice.

David Gay made a motion to appoint Paul Salvato to a term commencing immediately and ending on June 30, 2015 on the Computer Study Committee, seconded by Scott Wilson, and approved unanimously by voice.

Jim Wentworth made a motion to appoint Leonard Adjetej and Joseph Carriere to a term commencing immediately and ending on June 30, 2015 on the Economic Development Process Review Committee, seconded by Scott Wilson, and approved unanimously by voice.

A brief discussion was had regarding the potential to add two additional members to the Economic Development Committee, as several applicants to the EDPRC seemed to have interest in the mission of the Economic Development Committee. Bruce Panilaitis indicated that he would like to make a motion to do so in the open meeting.

David Gay made a motion to appoint Patricia Stratis to a term commencing immediately and ending on June 30, 2016 on the Historic Commission, seconded by Scott Wilson, and approved unanimously by voice.

Scott Wilson made a motion to appoint Kwame Nti-Addae to a term commencing immediately and ending on June 30, 2015 on the Local Housing Partnership, seconded by David Gay, and approved unanimously by voice.

Bruce Panilaitis made a motion to appoint Heidi Morgans and Patricia Stratis to a term commencing immediately and ending on June 30, 2015 on the Mass Cultural Council, seconded by Jim Wentworth, and approved unanimously by voice.

Scott Wilson made a motion to appoint Moira Gray and Mary Jo Melloni to a term commencing immediately and ending on June 30, 2015 on the Public Events & Celebrations Committee, seconded by Jim Wentworth, and approved unanimously by voice.

Bruce Panilaitis made a motion to appoint Greg Tuers to a term commencing immediately and ending on June 30, 2015 on the Recycling Committee, seconded by Jim Wentworth, and approved unanimously by voice.

At 6:50 pm, the Board went into recess until 7:00 p.m.

Representative James Miceli

At 7:02 p.m. the Chair continued the meeting. Representative James Miceli was present for the first of a series of meetings for all state delegation members with the Tewksbury Selectmen. The Selectmen have provided the same agenda for all delegation members for all meetings. The agenda was outlined for discussion and responded to by Representative Miceli:

1. Route 38 improvements with regard to infrastructure and economic development; transportation bond bill appropriation & access to those funds

Response: There is significant funding in the transportation bond. The first portion of Route 38 renovations came out of the TIP program to fund improvements from the Lowell line to Pine Street (Astle Street). There is a line item in the bond issue for \$10M for Route 38 but there is no money attached to this line item. The legislature was able to get the Route 38 project in it—this is like a shopping list—Representative Miceli suggested a meeting with the Governor to pull this project out of this line item to get a portion of the money to complete some of the work which he realizes is a priority for the Tewksbury Selectmen. Representative Miceli requested a draft of the proposed work as he does not have this information. He is anxious to see what the proposed plan is for Tewksbury. Representative Miceli may ask for Selectmen to be present when meeting to discuss the plans with the administration. The Chair noted this is the Selectman's number one priority to make the infrastructure better on Route 38. Selectmen Gay stated Beverly Woods of NMCOG can provide plans and completed studies for Representative Miceli's information. Mr. Gay will bring this request to NMCOG and ask Ms. Woods to copy Representative Miceli's office all information. If Representative Miceli had a plan, it would help immensely to show the Governor what the intention is for requesting this funding instead of just asking for funding because "we (Tewksbury) need the money".

2. Local aid—maintaining current levels in FY15 and improving the picture of FY16; specifically, c.90 and c.70 as well as circuit breaker improvements for out of district special education and transportation reimbursement

Response: At this time 9C cuts have not been discussed. A meeting will take place tomorrow; and the Selectmen reminded Representative Miceli that Tewksbury needs the help. Representative Miceli stated he will continue his efforts to obtain as much money as he can and will try to reach the same goal as always. It is encouraging that the Governor stated he is going

to maintain state aid at the same level from last year. The priorities for the Tewksbury Selectmen are education costs, such as circuit breaker; special education, out of district transportation costs, as these unfunded mandates are becoming significant budget items. Selectmen Wentworth noted Tewksbury has the least unrestricted government aid in the area per resident. If there is a way to increase unrestricted government aid, it would be a help Tewksbury's budget.

3. Legislative assistance and executive based steps to finalize Livingston Street and Tewksbury Cemetery land transfers

Response: At the outset of this meeting the Selectmen acknowledged and expressed appreciation for all of the legislative assistance and executive steps made to date by the state delegation to finalize the Livingston Street and Tewksbury Cemetery land transfers. The town is waiting on guidance from DCAM to maintain the cemetery for the state hospital (Tewksbury has agreed to this) but have not been advised on the specifics for this maintenance. The Selectmen are in need of help from the legislature on these matters. Representative Miceli is disappointed in this agency as it is not helpful. He is committed to help move this issue to completion. Representative Lyons and he are working on the cemetery with the administration directly instead of legislatively as to help speed the process.

4. Potential mitigation of public safety expenses/resources for activities at Tewksbury State Hospital through budget process or special legislation

Response: Efforts to mitigate services at Tewksbury State Hospital have been made by the Selectmen/Town Manager and they have convinced Representative Miceli that Tewksbury should receive assistance in this matter. Representative Miceli noted this is on his agenda. He may need to present this issue above the hospital director and bring it to the administration to get everyone involved at the same table. The Selectmen would like to maximize the coverage of public safety. Allot of headway has been made in positive discussion, and he is committed to continue to move this item forward.

5. Potential cost mitigation for communities and taxpayers for improving sewer and water infrastructure

Response: Representative Miceli is in the process of setting up a meeting with Jay Ash to see if any access to some funding is available, but there are no promises.

6. Library certification/waiver—change of process and fund level requirements

Response: The Selectmen feel the library waiver certification process is in shambles and brings to light again that Tewksbury is making more effort to improve staffing and this reinforces Tewksbury's commitment and the town's support of the recently built public library. Other towns reject building a new library but in order to continue to receive state funding to spend on materials for the library because they continue to meet state requirements. Tewksbury is on a warning status and had been for some time. Because of this Tewksbury does not receive any aid to put into books and subscriptions. The Selectmen would like to sit in on any meeting on this subject; and Representative Miceli committed to inviting members to any discussion on this topic.

The Selectmen also discussed the recent snow has had a huge impact on the state and snow and ice budgets within cities and towns are going to be impacted for this year. The Selectmen asked for support to help with this line item.

Representative Miceli was disappointed at this time there was no movement on money for local aid; the Selectmen welcomed him to come back and discuss this item if needed.

The Selectmen also asked for assistance with the 911 grant which has been cut from the budget with the previous administration. This cut will be a substantial hit to Tewksbury. The elimination of this program would be a \$60,000 hit to Tewksbury's finances for FY16. The Selectmen would ask the current administration to correct this.

Representative Miceli introduced Mr. Andy Stanley as a new employee in his office who is from Tewksbury.

Selectmen appreciated all work Representative Miceli has been doing and even though this is a once a year meeting all look forward to continue to collaborate with him to help the town.

Origin Thai Bistro—Wine and Malt License Hearing

The Selectmen received an application for Pranom Saard Thai Corporation d/b/a Origin Thai Bistro by Cesar Agundez, Manager, for permission to sell wine and malt alcoholic beverages as a common victualler located at 1699 Shawsheen Street, Unit #2. Mr. Cesar Agundez was present on behalf of the Thai Bistro. All paperwork was presented to the Selectmen as satisfactory with the exception of a certification of inspection by the building department and fire department to be obtained. Corporate documents and notice to abutters were also presented. All owners have worked in the restaurant business with extensive experience. Mr. Agundez has not personally managed an alcohol license before but has had extensive experience. TIPS certification for employees is in process.

Mr. Johnson opened the hearing up for public comment; no one present came forward to speak.

MOTION: Mr. Panilaitis made the motion to approve the wine and malt beverage license for Origin Thai Bistro contingent upon favorable inspections as required; seconded by Mr. Wilson and the motion carried 5-0.

National Grid & Verizon Pole Petition—Kingston Road

The Chair read the public notice into the record. National Grid and Verizon New England, Inc. are petitioning to install on Kingston Road a new pole #5, 7 feet +/- behind new pole #6 and install an anchor. The location begins at a point approximately 654 northeast of the centerline of the intersection of Quincy Road and Kingston Road and continues approximately 17 feet in a northwest direction as shown on Petition Plan No. 17256313-2. Mr. David Boucher, Senior Designer of National Grid located at 1101 Turnpike Street, North Andover was present on behalf of National Grid and Verizon. He explained an underground service is trespassing the location at 48 Kingston Road over to Quincy Road. It needs to be corrected and this action as noted on the petition will take the service out of the underground and install it overhead to resolve the issue. It is a customer-owned wire and National Grid wants to help correct the issue. Mr. Boucher was not aware of why this issue came to the forefront, however he was not aware of any oppositions to this plan. Pole 5 and 6 will be new poles and currently Pole 4 just ends.

Mr. Johnson opened the hearing up for public comment.

Ms. Kathy Cho of 27 Ellington Road came forward and noted there is a ditch near the proposed pole abutting Kingston Road. She is requesting more access to her property as she hires landscaping trucks come and cut down brush in her yard every year. Ms. Cho would like the pole moved slightly.

The Chair suggested Ms. Cho and National Grid representatives discuss the matter and come to an agreement on the pole location. Once an agreement is reached, the Selectmen can take action on the petition.

MOTION: Mr. Panilaitis made the motion to table the pole petition for Kingston Road to the next Board of Selectmen meeting on February 24, 2015 at 7:45 p.m.; seconded by Mr. Wilson and the motion carried 5-0.

Residents

Mr. Johnson opened the meeting up for public comment; no one present came forward to speak.

New Business

Denise Graffeo, Town clerk Annual Town Election Warrant

MOTION: Mr. Gay made the motion to approve the Annual Town Election Warrant for April 11, 2015; seconded by Mr. Wentworth and the motion carried 5-0.

Annual and Special

MOTION: Mr. Panilaitis made the motion to approve Annual Town Meeting Warrant for Monday, May 4 at 8 p.m. to be held at Tewksbury Memorial High School; seconded by Mr. Wilson and the motion carried 5-0.

MOTION: Mr. Wilson made the motion to approve Special Town Meeting Warrant for Wednesday, May 6 at 7 p.m. to be held at Tewksbury Memorial High School; seconded by Mr. Panilaitis and the motion carried 5-0.

Appointments

The selectmen have conducted a lengthy interview process with many individuals who have expressed interest in becoming involved in the community. The Selectmen hope that if some of the interviewees do not receive an appointment tonight, that these individuals will be open to other opportunities on other committees in town. Mr. Johnson reported the following individuals were appointed:

| <u>Name</u> | <u>Board/Committee</u> | <u>Term Expiration</u> |
|-------------------|---|------------------------|
| Francesca Frazier | Beautification Committee | June 30, 2015 |
| Paul Salvato | Computer Study Committee | June 30, 2015 |
| Leonard Adjetej | Economic Development Process Review Committee | June 30, 2015 |
| Joseph Carriere | Economic Development Process Review Committee | June 30, 2015 |
| Patricia Stratis | Historic Commission (unexpired 3-year term) | June 30, 2016 |
| Kwame Nti-Addae | Local Housing Partnership | June 30, 2015 |
| Heidi Morgans | Mass Cultural Council | June 30, 2015 |
| Patricia Stratis | Mass Cultural Council | June 30, 2015 |
| Moir Gray | Public Events & Celebrations Committee | June 30, 2015 |
| Mary Jo Melloni | Public Events & Celebrations Committee | June 30, 2015 |
| Greg Tuers | Recycling Committee | June 30, 2015 |

MOTION: Mr. Panilaitis made the motion to increase number of seats of the Economic Development Committee from the current 7 seats to 9 seats in order to help bring in additional qualified individuals to this committee; seconded by Mr. Gay and the motion carried 5-0.

A request was made to have the Selectmen's office post two positions for the Economic Development Committee.

Library Trustee Resignation

As noted from the previous meeting on February 3, 2015, the Selectmen are waiting on notification from the Library Trustees. Although official notification has not been submitted, the Selectmen have been informed the Trustees are interested in participating in the process with the Selectmen.

The process has two parts; the Trustees have 30 days from December 31, 2014 to notify the Selectmen of this vacancy and if they choose to do this, the Selectmen will then post the opening for the position for seven days. Following the seven days, the Selectmen and the Trustees will meet jointly to vote and make an appointment via the next annual town election. The Chair requested a vote take place tonight to post the vacant Library Trustee position tomorrow, February 11th and also officially invite the Library Trustees to the February 24th Selectmen meeting to discuss the temporary appointment.

MOTION: Mr. Panilaitis made the motion to notify the Town Clerk and post the vacant Library Board of Trustees position as a temporary position, effective immediately through to the April 2015 Election as required by state statute; seconded by Mr. Gay and the motion carried 5-0.

Town Manager

Water and Sewer Agreement

Mr. Montuori asked for approval on this drafted agreement. It has been drafted to become more of a standard agreement for the town to use in the future. This is an improvement of the process as the Town Manager would like to have more standard documents on file. All parties are in agreement and Town Counsel has approved it.

MOTION: Mr. Gay made the motion to approve the water and sewer agreement between the Town of Tewksbury and Marc P. Ginsburg & Sons Inc. as presented; seconded by Mr. Panilaitis and the motion carried 5-0.

Acceptance of Gift Donations from the Lowell Sun and Lowell Five Savings Bank

The Lowell Sun and Lowell Five have given checks to the town in the amounts of \$1000 and \$500, respectively, and the Selectmen need to accept these gift checks so they can be deposited to pay the bill for the Economic Development Breakfast.

MOTION: Mr. Panilaitis made the motion to accept the gifts, with gratitude, from the Lowell Sun and the Lowell Five as presented; seconded by Mr. Wilson and the motion carried 5-0.

Mr. Montuori commended and thanked the members for the Department of Public Works on a job well done as the town has had an excess of 60 inches of snow fall in the last two weeks. Currently efforts are stalled as the town is low on salt—as are most towns—but will be able to receive a shipment of salt soon and replenish. Residents are advised to be cautious on the roads until the shipment is received and crews can continue work.

Mr. Montuori also requested if residents could insure hydrants are shoveled out or make visible as this would be helpful to the fire department. He will check to see if the fire chief has hydrant markers; and if so residents can contact the fire chief to put one on a hydrant.

Flat roofs are becoming a concern. The Town Annex was inspected today and is ok for now. Also having trouble with the pitched roofs as ice dams are forming—the police chief has been raking the station's roof due to leak in his office. Also keeping a close eye on the senior center as well. Billerica House of Correction has offered help if needed.

The town is well into the budget for snow and ice of \$600,000 allocated. Mr. Wilson reminded residents this is the one account that can run a deficit.

The Selectmen requested a letter to be drafted to the delegation on the impact to the town's budget if the E911 grant is not funded for FY16.

Outstanding Minutes: January 13, 2015 (regular session), February 3, 2015 (regular session); Board of Selectmen Clerk Minutes: January 10, 2015 (regular session)

The minutes will be presented at the next meeting at the request of the Clerk.

Board Member Reports

Bruce Panilaitis:

- Economic Development Committee held their annual business breakfast with 60 attendees; it was a good event to spur networking and investment up and down Route 38
- No meetings for Town Center Committee; still waiting on responses to proposals; the deadline is February 20, 2015

Scott Wilson:

- Beautification Committee will present to Selectmen at the next meeting on the Adopt an Island Program and the artwork for switch boxes in town

David Gay:

- Since the Selectmen just met a week ago, not much activity to report for committees
- Complimented the exemplary work of the DPW in comparison to other cities /towns we have a great team on our streets
- NMCOG will meet next week; and he will extract information to be sent to Representative Miceli's office

James Wentworth:

- Commended media and Mr. Gillman from Your Tewksbury Today, for the extraordinary publicity on the openings for town committees; this is where residents heard about the process, and it was thrilling to see people who lived here for years now coming forward to get involved
- TMHS cheerleaders came in 9th place at the in National Competition; congratulations to all! Good fundraising and special thanks to school committee for helping to fund

Todd Johnson:

- Green Committee meets this Thursday, February 12 at 5:30
- Economic Development Process Review Committee snowed out this week
- Business Breakfast last Thursday, despite weather, was well attended for the Economic Development Committee; have personally had good feedback on this event

It was stated that nomination papers date was not extended, and papers are due as planned on Monday February 23, 2015

Also noted an open house will be held by the Tennessee Gas Pipeline Company at the Wyndham Hotel at 123 Old River Rd., Andover, MA 01810 from 6-8 p.m. on February 17th.

The next meeting will be held on February 24, 2015 at 7:00 p.m.

Adjournment

MOTION: Mr. Gay made the motion for the Board to adjourn at 8:34 p.m.; Mr. Panilaitis seconded, and the motion carried 4 to 0.

Approved by the Board of Selectmen on February 24, 2015